

REMARKS

Initially, Applicants wish to thank the Examiner for indicating acceptance of the Drawings filed on January 29, 2009.

Upon entry of the present amendment, independent claims 40-45 will have been amended to clarify the claimed combination of features, and new dependent claims 48-53 and new independent claim 54 will have been added. In this regard, the amendments to independent claims 40 and 43 and new independent claim 54 are supported by, for example, page 27, lines 16-21, page 30, lines 6-18, page 32, line 18 to page 33, line 2, page 34, line 10 to page 35, line 2 and page 101, line 2 to line 10 of the application specification as filed. New dependent claims 48 and 51 recite patentable subject matter found at, for example, page 31, lines 4-23 and page 34, lines 4-9 of the application specification as filed. New dependent claims 49 and 52 recite patentable subject matter found at, for example, page 37, line 9-18 of the application specification as filed. Further, new dependent claims 50 and 53 recite patentable subject matter found at, for example, page 38, lines 2-5 of the application specification as filed. Also upon entry of the present amendment, the specification will have been amended at page 8, lines 19-20, page 28, lines 8-21, page 28, line 22 and ending at page 29, line 1, page 32, line 18 and ending at page 33, line 2 and page 35, lines 3 to 11 of the application specification as filed. Support for these amendments may be found at, for example, page 29, lines 2-8 of the application specification as filed and Figure 7. Applicants respectfully submit that no prohibited new matter is added by these amendments. The amendments to independent claims 40 and 43 and dependent claims 41, 42, 44 and 45, and the addition of new dependent claims 48-53 and new independent claim 54 should not be considered an indication of Applicants' acquiescence to any of the outstanding rejections. Rather,

Applicants have amended independent claims 40 and 43 and dependent claims 41, 42, 44 and 46 and added new dependent claims 48-53 and new independent claim 54 to advance prosecution and to obtain early allowance of the present application.

In the Office Action, the Examiner rejected claims 40, 41, 43, 44, 46 and 47 under 35 U.S.C. § 102(e) as being anticipated by SEZAN et al. (U.S. Patent Application Publication No. 2005/0060641). The Examiner additionally rejected claims 42 and 45 under 35 U.S.C. § 103 (a) as being unpatentable over SEZAN et al., in view of RUSSO (U.S. Patent No. 5,619,247).

Applicants respectfully traverse the outstanding rejections. Applicants' independent claim 40 specifies, *inter alia*, in response to a preview distribution request, dynamically generating, from views, a preview having a time length corresponding to a client's desired time information. To make this possible, Applicants' independent claim 40 further specifies, using the claimed metadata, list information, and preview distribution request, all of which include viewpoint information comprising a keyword included in the metadata explaining the content for extracting segments, and extracting, after the preview distribution request is received, segments adapted to the viewpoint information comprising a keyword.

According to a non-limiting aspect of the invention recited in Applicants' independent claim 40, the claimed media distribution apparatus provides the advantage of reducing the storage capacity required by the claimed storer, by storing metadata describing viewpoint information comprising a keyword and time information to generate previews dynamically, instead of generating and storing previews in advance, thereby reducing the storage capacity required by the claimed storer (*see, e.g.*, page 37, line 9-18 of the application specification as filed). Additionally, the claimed media distribution

apparatus enables a client to determine, with more reliability, whether a content is the client's desired content by viewing a preview prepared from the client's desired viewpoint, thereby more reliably ensuring distribution of desired content to the client (see, e.g., page 37, line 19 to page 38, line 1 of the application specification as filed).

Applicants respectfully submit that SEZAN fails to disclose (let alone suggest) the claimed storer, request receiver, and media extractor/generator as recited in Applicants' independent claim 40. In this regard, in the *Response to Arguments* section of the Office Action, the Examiner asserts that the claims do not specify "viewpoint information" and accordingly, the claimed viewpoint information could be anticipated by clips that form a 1 minute, 5 minute or 10 minute highlight of a program, as disclosed by SEZAN. Applicants' amended independent claim 40 specifies, *inter alia*, that the viewpoint information is a keyword included in the metadata explaining the content. Applicants respectfully submit that the clips disclosed by SEZAN are grouped to make highlight of a program, are grouped for every length of a highlight of a program, and are specified by a start frame identifier and an end frame identifier. When a user selects a frame illustrated in the left part of the display shown in Figure 10 of SEZAN, Applicants respectfully submit that a program is specified and the length of a highlight is specified, and the clips of the group corresponding to the selected length of highlight are played back (*i.e.*, a highlight is played back). See e.g., paragraphs [0094] and [0095] of SEZAN. Applicants respectfully submit that the clips disclosed by SEZAN merely specify a frame to be played back, and do not represent keywords of a program, as specified in Applicants' amended independent claim 40, and accordingly, do not disclose (let alone suggest) that viewpoint information comprises a keyword included in the metadata explaining the content, as recited in Applicants' amended independent claim 40. In addition, Applicants

respectfully submit that SEZAN fails to disclose a storer that stores views of original media of content, and metadata for explaining the views, the metadata comprising a plurality of segments and describing viewpoint information and time information, the viewpoint information and the time information being assigned on a segment-by-segment basis, the viewpoint information comprising a keyword included in the metadata explaining the content, as recited in Applicants' amended independent claim 40.

Further, Applicants respectfully submit that SEZAN fails to disclose at least a request receiver that receives, from a client, a preview distribution request including identification information that identifies the content, the viewpoint information comprising the keyword included in the metadata explaining the content, and desired time information that is input by the client, the identification information and the viewpoint information being selected from list information that is distributed in advance, the list information comprising the identification information, the viewpoint information of the content, and playback time information of the content, as recited in Applicants' independent claim 40. In this regard, SEZAN fails to disclose the claimed list information at least insofar as the claimed list information includes viewpoint information (*i.e.*, keywords) for extracting segments, which Applicants respectfully submit that SEZAN does not disclose, in addition to identification information for identifying content. Further, Applicants respectfully submit that SEZAN does not disclose the claimed preview distribution request at least insofar as the claimed preview distribution request includes viewpoint information, which as discussed above, SEZAN is submitted to fail to disclose.

Applicants submit that, according to SEZAN, clips for making a highlight of a program are grouped in advance for every length of a highlight of a program. As

discussed above, a highlight is played back by playing back the clips included in the group provided in advance in association with the length of the highlight. That is, the clips disclosed by SEZAN are determined and stored in advance to make clips for play back, for all possible selections (*i.e.*, program selections and highlight lengths).

In contrast, the present invention specifies that after a preview distribution request is received from a client, a plurality of segments adapted to viewpoint information (keywords) are extracted and, subsequently, a preview is generated dynamically by combining views corresponding to the plurality of segments in a length corresponding to desired time information, using the time information assigned to the plurality of segments. That is, in contrast to the teachings of SEZAN, the present invention does not determine and store the views to make up previews in advance for all possible distribution requests. Rather, Applicants' independent claim 40 specifies that, after a distribution request is received, a preview is dynamically generated by extracting views that are adapted to the distribution request and that make up a preview. It is submitted that SEZAN fails to disclose generating a summary dynamically in response to a preview distribution request from a client. Rather, paragraphs [0094] and [0095] of SEZAN merely disclose providing a static video summary (*i.e.*, one minute, five minute, or ten minute clips as shown in Figure 10). Accordingly, Applicants respectfully submit that SEZAN fails to disclose or suggest a media extractor/generator that extracts, after the preview distribution request is received by the request receiver, from the metadata, a plurality of segments for making up a preview that is a summary and adapted to the viewpoint information included in the received preview distribution request with respect to content corresponding to the identification information included in the received preview distribution request, and dynamically generates the preview having a time length

corresponding to the desired time information included in the received preview distribution request, by combining the views stored in the storer corresponding to at least one of the extracted plurality of segments so as to have the time length corresponding to the desired time information, using the time information assigned to the extracted plurality of segments, as recited in Applicants' independent claim 40.

In view of the above, Applicants respectfully submit that independent claim 40 is not anticipated by SEZAN at least for the reasons noted above.

Further, Applicants respectfully submit that the method of independent claim 43 is also allowable for reasons similar to the above-noted reasons for the allowability of claim 40, in addition to reasons related to its own recitations.

Applicants respectfully submit that claims 41, 42 and 44-53 are allowable at least because they depend, directly or indirectly, from independent claims 40 and 43, which Applicants submit have been shown to be allowable, in addition to reasons related to their own recitations. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims upon which they depend, in addition to reasons related to their own recitations.

Applicants respectfully submit that the disclosure of SEZAN fails to disclose each and every feature of the claimed invention. Thus, Applicants respectfully request withdrawal of the 35 U.S.C. §102 rejection.

Moreover, Applicants respectfully submit that RUSSO fails to cure the deficiencies of SEZAN, nor is RUSSO applied to cure the deficiencies of SEZAN. Rather, RUSSO is merely relied upon to teach a charging as specified in claims 42 and 45. Thus, Applicants submit that the combination of SEZABN and RUSSO as set forth

by the Examiner fails to render the invention defined by claims 42 and 45 obvious. Accordingly, the Examiner is requested to withdraw the 35 U.S.C. §103 rejection.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(e) rejection of claims 40, 41, 43, 44, 46 and 47 over SEZAN and the 35 U.S.C. § 103(a) rejection of claims 42 and 45 over SEZAN and RUSSO, along with an indication of the allowability of these claims and newly submitted dependent claims 46-49.

As noted above, new claims 48-54 are submitted for the Examiner's consideration. In this regard, Applicants respectfully submit that dependent claims 48-53 are allowable at least for depending from independent claims 40 and 43, which Applicants submit have been shown to be allowable. Further, Applicants respectfully submit that the claimed combination of features recited in Applicants' independent claim 54 are allowable at least because the combination of references set forth by the Examiner fails to disclose (or render obvious) at least the claimed viewpoint information, the claimed preview distribution request, the content identification information and the at least one keyword are selected by the client from list information that is distributed in advance. Support for independent claim 54 may be found at, for example, page 27, lines 16-21, page 30, lines 6-18, page 32, line 18 to page 33, line 2, page 34, line 10 to page 35, line 2 and page 101, line 2 to line 10 of the application specification as filed. Applicants respectfully submit that independent claim 54 is allowable at least because the combination of references set forth by the Examiner fails to disclose or render obvious that the server extracts, after receiving the preview distribution request, from the metadata, segments having viewpoint information corresponding to at least one keyword selected by the client, generates a preview having a time period set by the client by

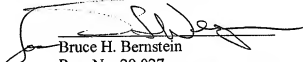
linking the views corresponding to at least one of the extracted segments using time information, and transmits the generated preview to the client, as recited in Applicants' independent claim 54.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attached thereto.

At least in view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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